



Reprinted
April 11, 2001

ENGROSSED SENATE BILL No. 505

DIGEST OF SB 505 (Updated April 10, 2001 6:16 PM - DI 71)

Citations Affected: IC 20-8.1; IC 20-10.2; noncode.

Synopsis: Parental involvement in education. Sets forth provisions that a school's strategic and continuous school improvement and achievement plan may include to encourage parental involvement in the school. Requires the department of education to make models of parental involvement plans available to schools for use in developing plans. Requires a parent to enter into a written compact with the school the parent's child attends setting forth expectations for the child, the parent, the child's teachers, and the child's school. Requires a parent to make a reasonable effort to comply with the compact. Allows a superintendent or principal to bring a civil action against a parent who does not enter into the compact or does not comply with the compact. Allows a superintendent or attendance officer to either bring a civil action against a parent who does not comply with compulsory education requirements or refer the matter to the prosecuting attorney.

Effective: Upon passage; July 1, 2001.

Breaux, Sipes, Young R
(HOUSE SPONSORS — PORTER, SCHOLER)

January 22, 2001, read first time and referred to Committee on Education.

February 15, 2001, amended, reported favorably — Do Pass.

February 19, 2001, read second time, ordered engrossed.

February 20, 2001, engrossed.

February 22, 2001, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2001, read first time and referred to Committee on Education.

March 29, 2001, reported — Do Pass.

April 2, 2001, read second time, ordered engrossed.

April 3, 2001, engrossed.

April 9, 2001, read third time, made special order of business for April 10 at 2:00 p.m.

April 10, 2001, reread third time, recommitted to Committee of One, amended; passed.
Yeas 92, nays 0.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

ENGROSSED SENATE BILL No. 505

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-8.1-3-32 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 32. ~~Enforcement of~~
3 ~~Chapter.~~ (a) It is the duty of each superintendent, attendance officer
4 and state attendance official to enforce the provisions of this chapter in
5 their respective jurisdictions and to **either**:
6 (1) execute the affidavits; or
7 (2) **bring the action**;
8 authorized under this section. This duty is several and the failure of one
9 (1) or more to act shall not excuse any other official from ~~his~~ **the**
10 obligation to enforce this chapter.
11 (b) **Except as provided in subsection (c)**, affidavits against parents
12 for violations of this chapter shall be prepared and filed in the same
13 manner and under the procedure prescribed for filing affidavits for the
14 prosecution of public offenses. Affidavits under this ~~section~~ **subsection**
15 shall be filed in the circuit court of the county in which the affected
16 child resides. The prosecuting attorney shall file and prosecute actions
17 under this ~~section~~ **subsection** as in other criminal cases. The court shall

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promptly hear cases brought under this ~~section~~ subsection.

(c) A superintendent or attendance officer may bring an action against a parent under this subsection to compel the attendance of the parent's child under this chapter. An action under this subsection must be brought in the court that has civil jurisdiction in the county in which the affected child resides. The court shall promptly hear cases brought under this subsection.

SECTION 2. IC 20-8.1-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 14. Parental Participation in a Student's Education

Sec. 1. This chapter does not apply to a nonpublic school.

Sec. 2. (a) Each school in a school corporation shall develop a written compact among the school, the students, the students' teachers, and the students' parents.

(b) A written compact must contain the expectations for the school, the student, the student's teachers, and the student's parents.

(c) Each educator at the school shall affirm and sign the compact, and each student and the student's parents shall come to the school before the start of each school year to sign and affirm the compact.

Sec. 3. A parent shall make a reasonable effort to comply with the terms of the compact, including attending all parent-teacher conferences and disciplinary proceedings concerning the child.

Sec. 4. (a) A superintendent or principal may bring an action against a parent under this section to compel the parents to:

(1) enter into; or

(2) comply with the terms of;

a compact under this chapter.

(b) An action under this section must be brought in the court that has civil jurisdiction in the county in which the affected child resides.

(c) The court shall promptly hear cases brought under this section.

SECTION 3. IC 20-10.2-3-5, AS ADDED BY P.L.221-1999, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) A plan must contain the following components for the school:

(1) A list of the statutes and rules that the school wishes to have suspended from operation for the school.

(2) A description of the curriculum and information concerning



the location of a copy of the curriculum that is available for inspection by members of the public.

(3) A description and name of the assessments that will be used in the school in addition to ISTEP assessments.

(4) A plan to be submitted to the governing body and made available to all interested members of the public in an easily understood format.

(5) A provision to maximize parental participation in the school, **which may include access to learning aids to assist students with school work at home, information on home study techniques, or access to school resources.**

(6) For a secondary school, a provision to do the following:

(A) Offer courses that allow all students to become eligible to receive an academic honors diploma.

(B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum.

(7) A provision to maintain a safe and disciplined learning environment for students and teachers.

(8) A provision for the coordination of technology initiatives and ongoing professional development activities.

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a), the school may substitute those materials for the component listed in subsection (a).

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) Not later than September 1, 2001, the department of education shall develop and make available to school building committees developing strategic and continuous school improvement and achievement plans under IC 20-10.2-3 models of parental involvement plans that include student achievement as the primary focus of the plans for use by the school building committees in developing the parental participation component of the strategic and continuous school improvement and achievement plan required under IC 20-10.2-3-5, as amended by this act.

(b) This SECTION expires September 2, 2001.

SECTION 5. An emergency is declared for this act.



SENATE MOTION

Mr. President: I move that Senator Young R be added as coauthor of Senate Bill 505.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill No. 505, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 1, delete "IC 20-5-2-9" and insert "IC 20-10.2-3-5, AS ADDED BY P.L.221-1999, SECTION 13,".

Page 1, line 1, delete "ADDED TO THE INDIANA CODE" and insert "AMENDED".

Page 1, line 2, delete "AS A NEW SECTION".

Page 1, line 3, delete "Sec. 9. (a) As used in this section, "plan" refers to a" and insert "Sec. 5. (a) A plan must contain the following components for the school:

- (1) A list of the statutes and rules that the school wishes to have suspended from operation for the school.
- (2) A description of the curriculum and information concerning the location of a copy of the curriculum that is available for inspection by members of the public.
- (3) A description and name of the assessments that will be used in the school in addition to ISTEP assessments.
- (4) A plan to be submitted to the governing body and made available to all interested members of the public in an easily understood format.
- (5) A provision to maximize parental participation in the school, **which may include access to learning aids to assist students with school work at home, information on home study techniques, or access to school resources.**
- (6) For a secondary school, a provision to do the following:
 - (A) Offer courses that allow all students to become eligible to receive an academic honors diploma.
 - (B) Encourage all students to earn an academic honors diploma or complete the Core 40 curriculum.
- (7) A provision to maintain a safe and disciplined learning environment for students and teachers.
- (8) A provision for the coordination of technology initiatives and ongoing professional development activities.

(b) If, for a purpose other than a plan under this chapter, a school has developed materials that are substantially similar to a component listed in subsection (a), the school may substitute those materials for the component listed in subsection (a)."

Page 1, delete lines 4 through 17, begin a new paragraph and insert: "SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **Not later than**

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September 1, 2001, the department of education shall develop and make available to school building committees developing strategic and continuous school improvement and achievement plans under IC 20-10.2-3 models of parental involvement plans that include student achievement as the primary focus of the plans for use by the school building committees in developing the parental participation component of the strategic and continuous school improvement and achievement plan required under IC 20-10.2-3-5, as amended by this act."

(b) This SECTION expires September 2, 2001.

SECTION 3. An emergency is declared for this act."

Page 2, delete lines 1 through 6.

and when so amended that said bill do pass.

(Reference is to SB 505 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 8, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 505, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 14, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 505 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-8.1-3-32 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 32. ~~Enforcement of Chapter.~~ (a) It is the duty of each superintendent, attendance officer and state attendance official to enforce the provisions of this chapter in their respective jurisdictions and to **either:**

(1) execute the affidavits; or

(2) **bring the action;**

authorized under this section. This duty is several and the failure of one (1) or more to act shall not excuse any other official from ~~his~~ **the** obligation to enforce this chapter.

(b) **Except as provided in subsection (c),** affidavits against parents for violations of this chapter shall be prepared and filed in the same manner and under the procedure prescribed for filing affidavits for the prosecution of public offenses. Affidavits under this ~~section~~ **subsection** shall be filed in the circuit court of the county in which the affected child resides. The prosecuting attorney shall file and prosecute actions under this ~~section~~ **subsection** as in other criminal cases. The court shall promptly hear cases brought under this ~~section.~~ **subsection.**

(c) **A superintendent or attendance officer may bring an action against a parent under this subsection to compel the attendance of the parent's child under this chapter. An action under this subsection must be brought in the court that has civil jurisdiction in the county in which the affected child resides. The court shall promptly hear cases brought under this subsection.**

SECTION 2. IC 20-8.1-14 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 14. Parental Participation in a Student's Education

Sec. 1. This chapter does not apply to a nonpublic school.

Sec. 2. (a) Each school in a school corporation shall develop a written compact among the school, the students, the students' teachers, and the students' parents.

(b) A written compact must contain the expectations for the school, the student, the student's teachers, and the student's

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parents.

(c) Each educator at the school shall affirm and sign the compact, and each student and the student's parents shall come to the school before the start of each school year to sign and affirm the compact.

Sec. 3. A parent shall make a reasonable effort to comply with the terms of the compact, including attending all parent-teacher conferences and disciplinary proceedings concerning the child.

Sec. 4. (a) A superintendent or principal may bring an action against a parent under this section to compel the parents to:

- (1) enter into; or
- (2) comply with the terms of;

a compact under this chapter.

(b) An action under this section must be brought in the court that has civil jurisdiction in the county in which the affected child resides.

(c) The court shall promptly hear cases brought under this section."

Renumber all SECTIONS consecutively.

(Reference is to ESB 505 as printed March 30, 2001.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed Senate Bill 505, begs leave to report that said bill has been amended as directed.

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